

REMARKS

This is a full and timely response to the Office Action mailed January 16, 2008 and Advisory Action dated April 10, 2008.

By this Amendment, claims 1, 2 and 9 have been amended to delete some claim amendments which were effected in Applicant's Response filed April 1, 2008 and to more particularly define the present invention. Thus, claims 1-9 are currently pending in this application. Support for the claim amendments can be readily found variously throughout the specification and the original claims, see, in particular, page 9, lines 14-25, and the Examples of the specification (especially Table 1 on page 18).

In view of these amendments, Applicant believes that all pending claims are in condition for allowance. Reexamination and reconsideration in light of the above amendments and the following remarks is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1, 2 and 4-8 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kimura et al. (WO 98/15600 using U.S. Patent No. 6,407,033 as English translation) (hereinafter "Kimura"). Claim 3 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kimura as evidence by Koyanagi (U.S. Patent No. 7,192,986). Applicants respectfully traverse these rejections.

To establish a *prima facie* case of obviousness, the cited reference (or references when combined) must teach or suggest the invention as a whole, including all the limitations of the claims. Here, in this case, none of the cited references teach or suggest the claim limitations "*wherein said Zr containing compound is at least one selected from the group consisting of $Zr(OC_4H_9)_3(C_5H_7O_2)$ and $Zr(OC_4H_9)(C_5H_7O_2)(C_6H_9O_3)_2$* ".

In the silicone resin composition of the present invention, the Zr containing compound such as $Zr(OC_4H_9)_3(C_5H_7O_2)$ and $Zr(OC_4H_9)(C_5H_7O_2)(C_6H_9O_3)_2$ is used to accelerate the bridge (cross-linkage) formation of the silicone resin, and obtain a dense film of the silicone resin composition.

In contrast, Kimura uses zirconium compounds such as zirconium oxide and zirconium oxynitrate, as shown in the Examples of Kimura, to adhere a photocatalyst such as TiO_2 on a carrier which is completely different in purpose than the present invention. Thus, Applicant strongly believes that Kimura fails to teach or suggest the use of a Zr containing compound which is at least one selected from the group consisting of $\text{Zr}(\text{OC}_4\text{H}_9)_3(\text{C}_5\text{H}_7\text{O}_2)$ and $\text{Zr}(\text{OC}_4\text{H}_9)(\text{C}_5\text{H}_7\text{O}_2)(\text{C}_6\text{H}_9\text{O}_3)_2$, for the purpose (i.e. *to accelerate the bridge (cross-linkage) formation of the silicone resin, and obtain a dense film of the resin composition*) disclosed in the present invention.

Applicant also notes that one skilled in the art would not have any reason to modify Kimura to the claimed Zr containing compound since the selection of a zirconium compound would not be for the same purpose as in the present invention since as noted above, Kimura only uses a zirconium compound to adhere a photocatalyst such as TiO_2 on a carrier and not to accelerate the bridge (cross-linkage) formation of the silicone resin.

Further, this deficiency in Kimura is not cured by the teachings of Koyanagi which has only been cited to confirm the particle size of the silica.

Hence, Applicant submits that a person skilled in the art would not be able to arrive at the present invention based on the teachings of Kimura or the combined teachings of Kimura and Koyanagi.

In addition, Applicant also wishes to emphasize that when at least one of $\text{Zr}(\text{OC}_4\text{H}_9)_3(\text{C}_5\text{H}_7\text{O}_2)$ and $\text{Zr}(\text{OC}_4\text{H}_9)(\text{C}_5\text{H}_7\text{O}_2)(\text{C}_6\text{H}_9\text{O}_3)_2$ is used as the Zr containing compound in the present invention, there is a remarkable advantage that a film having high photocatalysis and durability can be obtained by the film formation at a relatively low temperature of from room temperature to 200°C (see the Examples of the specification especially Table 1 on page 18). Such superior features of the present invention cannot be expected based on the teachings of Kimura and Koyanagi. As the Examiner already knows, presence of a property not possessed by the prior art is evidence of nonobviousness. *In re Papesch*, 315 F.2d 381, 137 USPQ 43 (CCPA 1963).


Thus, for these reasons, withdrawal of the present rejections is respectfully requested.

CONCLUSION

For the foregoing reasons, all the claims now pending in the present application are believed to be clearly patentable over the outstanding rejections. Accordingly, favorable reconsideration of the claims in light of the above remarks is courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Dated: May 15, 2008

Respectfully submitted,

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